



Christopher M. Alston
U.S. Bankruptcy Judge

(Dated as of Entered on Docket date above)

**UNITED STATES BANKRUPTCY COURT FOR THE WESTERN DISTRICT OF
 WASHINGTON**

In re:

No. 22-11499-CMA

MIKHAIL NEVLER

Adversary Case No. 22-01054-CMA

MIKHAIL NEVLER

**ORDER GRANTING SUMMARY
 JUDGMENT IN PART**

Plaintiff,

v.

MARK N. ROUSH II and CINDA JANE
 ROUSH, husband and wife, and MELISSA L.
 ROUSH, a single woman.

Defendants.

ORDER

THIS MATTER having come before the above-entitled Court on March 23, 2023 on Defendants Mark N. Roush and Cinda Roush's Motion for Summary Judgment, the Court having reviewed the records and files herein, and having heard oral argument from the parties in attendance, considering itself fully advised, pursuant to the findings of fact and conclusions of law entered on the record by the Court at the conclusion of the hearing, IT IS HEREBY:

Order Granting Partial Summary Judgment
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1 **ORDERED** that Defendants Mark N. Roush and Cinda Roush's Motion for Summary
2 Judgment dismissing Plaintiffs claim for imposition of a resulting/constructive trust is
3 GRANTED.

4
5 **IT IS FURTHER ORDERED** that Plaintiff's claim for imposition of a resulting trust is
6 hereby DISMISSED with prejudice.

7 **IT IS FURTHER ORDERED** that Defendants motion for Summary Judgment on
8 Defendants Counterclaim for a declaratory judgment declaring that title to the Vashon Property
9 is vested in Defendants Mark N. Roush and Cinda J. Roush, against any claims of Mikhail
10 Nevler, or anyone claiming by or through him is GRANTED.

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12 **IT IS FURTHER ORDERED** that Defendants Motion for Summary Judgment on
13 Defendant's Counterclaim for a declaratory judgment declaring Plaintiff to be a tenant of the
14 Vashon Property is DENIED.

15
16 ///END OF ORDER///

17
18 Presented by:

Approved as to Form, Notice of Presentment
Waived:

19 /s/Eric J. Lanza

/s/Dorothy Bartholomew

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